

State of South Dakota

EIGHTY-SIXTH SESSION LEGISLATIVE ASSEMBLY, 2011

291S0103

SENATE BILL NO. 58

Introduced by: Senators Maher, Bradford, and Olson (Russell) and Representatives Juhnke, Iron Cloud III, Killer, Stricherz, and Wink

1 FOR AN ACT ENTITLED, An Act to provide tuition benefits to certain National Guard
2 members attending tribal colleges.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 33-6 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any member of the National Guard of the State of South Dakota who is an enrolled member
7 of a federally recognized Indian tribe and who is enrolled in a graduate or undergraduate
8 program or in a postsecondary vocational training course at a tribal university, tribal college, or
9 tribal postsecondary vocational institution is entitled to a benefit of fifty percent of the tuition
10 charged to the member by the tribal university, college, or vocational institution under the
11 following conditions:

- 12 (1) The National Guard member meets the requirements of § 33-6-7;
- 13 (2) The tuition benefits provided under this section to any member may not exceed the
14 equivalent of thirty-two credit hours toward a graduate degree, one hundred twenty-
15 eight credit hours toward a baccalaureate degree, and one postsecondary vocational-



1 technical course of study;

2 (3) Benefits provided under this Act may not exceed fifty percent of the average resident
3 tuition rate for corresponding coursework at institutions under the control of the
4 Board of Regents or state postsecondary vocational education institutions during the
5 academic term for which benefits are provided;

6 (4) Benefits may be provided for attendance at any tribal university, tribal college, or
7 tribal postsecondary vocational institution located in South Dakota or located on an
8 Indian reservation located partially in South Dakota; and

9 (5) Benefits provided under this section apply any eligible member of the National Guard
10 of South Dakota regardless of whether or not the member is a South Dakota resident.

11 The Department of Military and Veterans Affairs or its successor shall pay the tuition benefit
12 to the eligible National Guard member. The department shall promulgate rules pursuant to
13 chapter 1-26 to determine eligibility and award amounts, to specify application and verification
14 procedures, and to provide for payment of tuition benefits as provided in this section.

15 Section 2. That § 33-6-8 be amended to read as follows:

16 33-6-8. Any person desiring to use the benefits of ~~either § 33-6-5 or 33-6-6~~ §§ 33-6-5 to 33-
17 6-8, inclusive, or section 1 of this Act shall apply to the Department of Military and Veterans
18 Affairs. The secretary of military and veterans affairs shall determine ~~if~~ whether that person is
19 entitled to the benefits of §§ 33-6-5 to 33-6-8, inclusive, or section 1 of this Act. The secretary
20 of military and veterans affairs may promulgate rules pursuant to chapter 1-26 to accomplish
21 the purposes of §§ 33-6-5 to 33-6-8, inclusive, and section 1 of this Act, and to establish the
22 procedures for determining awards, the records to be maintained, and the procedure for an
23 appeal.